

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GREAT LAKES ANESTHESIA, PLLC,
SUMMIT MEDICAL GROUP, PLLC,
GREATER LAKES AMBULATORY
SURGICAL CENTER, PLLC, d/b/a
ENDOSURGICAL CENTER AT GREATER
LAKES,

Plaintiffs,

Case Number 11-10658
Honorable David M. Lawson

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

_____ /

ORDER DENYING DEFENDANT'S MOTION
FOR PARTIAL SUMMARY JUDGMENT

The matter is before the Court on the defendant's motion for partial summary judgment. The plaintiffs in this case are medical providers who rendered services to Stara Taylor to treat injuries received in an automobile accident. Stara Taylor was insured by the defendant under Michigan's no-fault insurance law. The plaintiffs have sued State Farm to recover charges for those services. On October 14, 2011, the defendant moved for partial summary judgment, arguing that no genuine issue remains as to whether the charges for the medical services rendered were either reasonable or customary because the plaintiffs' employee in charge of setting billing rates acknowledged using a non-local billing rate. The defendant does not address whether the plaintiffs are entitled to any compensation for the services. Rather, the defendant asks the Court to enter an order finding that if no-fault benefits are owed, those charges are limited to the usual and customary rate those services in Clinton Township, Michigan.

The defendant's motion calls for an evaluation of the plaintiffs' medical charges on a line-item basis. The defendant's motion does not address other parts of the medical bills, nor does it indicate that payment for the remaining charges will be forthcoming. The Court believes that a decision on the present motion will do little to advance the ultimate termination of the litigation.

The Court believes that adjudication of the plaintiffs' claims on a piece-meal basis is an inefficient use of judicial resources. *See Oglala Sioux Tribe of Pine Ridge Indian Reservation v. United States*, 21 Cl. Ct. 176, 194 (Cl. Ct. 1990) ("[M]otion for partial summary judgment is denied as an inefficient use of judicial resources."). Therefore, the Court will deny the defendant's motion for partial summary judgment.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: October 28, 2011

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 28, 2011.

s/Deborah R. Tofil
DEBORAH R. TOFIL